

STATE OF CALIFORNIA  
 ENVIRONMENTAL PROTECTION AGENCY  
 DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:	)	
Marina Community Partners, LLC	)	
Suite 100, Building 2862	)	Amendment to the Voluntary
Marina, California 93933	)	Cleanup Agreement
	)	(Docket No. HSA-A 05/06-046)
Thom Gamble		
Marina Community Partners	)	
Attn: Simon Whitney, Project Director	)	
Suite 100, Building 2862	)	Health and Safety Code
Marina, California 939331356	)	Section 25355.5(a) (1) (C)
_____	)	

## I. INTRODUCTION

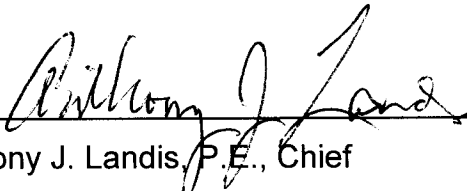
1.1 Purpose. The purpose of this Amendment to the Voluntary Cleanup Agreement (Amendment) is to reflect the changes in the scope of work and oversight cost estimate.


1.2 Scope of Work and The Department of Toxic Substances Control (DTSC) Oversight. DTSC shall review and provide Proponent with written comments on all Proponent deliverables and other documents applicable to the scope of the project. DTSC shall also provide oversight of a decision document, Removal Action Work Plan (RAW) and field activities, as appropriate. DTSC's completion of the activities described in Exhibit C shall constitute complete performance under this Agreement.

1.3 Payment. This Amendment provides an estimate of the cost of DTSCs oversight costs (Exhibit D) which include additional activities leading to a site certification. The total estimated cost for the scope of work through site certification is \$ 13,057.00. Proponent shall make an additional payment of \$ 13,057.00 in accordance with paragraphs 3.8.1, 3.8.2 and 3.8.3 of the original Agreement.

1.4 Effective Date. This Amendment shall be effective three business days following the day the last party signs the agreement.

1.5 Counterparts. This Agreement may be executed and delivered in any number of counterparts, each of which when executed and delivered shall be deemed to be an original, but such counterparts shall together constitute one and the same document.

 Date: 2-2-06  
Anthony J. Landis, P.E., Chief  
Northern California-Office of Military Facilities  
Department of Toxic Substances Control

 Date: 2-4-06  
Thom Gamble  
Marina Community Partners

## EXHIBITS

C – SCOPE OF WORK

D – COST ESTIMATE

E – SCHEDULE

## EXHIBIT C

### SCOPE OF WORK

#### TASK 8. Removal Action Work Plan

DTSC determined a removal action is appropriate. The Proponent will prepare a Removal Action Work Plan (RAW) in accordance with Health and Safety Code sections 25323.1 and 25356.1. The RAW will include:

- (a) a description of the onsite contamination;
- (b) the goals to be achieved by the removal action;
- (c) an analysis of the alternative options considered and rejected and the basis for that rejection. This should include a discussion for each alternative which covers its effectiveness, implementability and cost;
- (d) administrative record list; and
- (e) a statement that the RAW serves as an equivalent document to the Engineering Evaluation/Cost Analysis document required by the National Contingency Plan.

#### TASK 9. California Environmental Quality Act (CEQA)

Based on the results of the draft Initial Study, DTSC will prepare the necessary CEQA documents. If required, the Proponent shall submit the information necessary for DTSC to prepare these documents.

#### TASK 10. Implementation of Final Removal Action Work Plan

Upon DTSC approval of the final Removal Action Work Plan (RAW), the Proponent shall implement the removal action, as approved. Within thirty (30) days of completion of field activities, Proponent shall submit an Implementation Report documenting the implementation of the final RAW.

TASK 11. Changes During Implementation of the Final RAW

During implementation of the final RAW , DTSC may specify such additions, modifications and revisions to the RAW as deemed necessary to protect human health and safety or the environment or to implement the RAW.

TASK 12. Public Participation

12.1 The Proponent shall publish, in a major local newspaper(s), a public notice announcing the availability of the RAW for public review and comment. The public comment period shall last a minimum of thirty (30) days.

12.2 DTSC may require that the Proponent hold at least one public meeting to inform the public of the proposed activities and to receive public comments on the RAW.

12.3 Within two (2) weeks of the close of the public comment period, the Proponent shall prepare and submit to DTSC a draft response to the public comments received.

12.4 If appropriate, the Proponent will revise the RAW on the basis of comments received from the public, and submit the revised RAW to DTSC for review and approval. The Proponent will also notify the public of any significant changes from the action proposed in the RAW.

Includes Direct and Indirect Cost Rates.\*

\* Indirect rate used for calculations = 188.43%  
182.52%

EXHIBIT E  
SCHEDULE

<u>TASK</u>	<u>SCHEDULE</u>
Draft Work Plan	Within 60 days of signing the VCA
DTSC reviews and comments on Work Plan	Within 45 days of receipt of submittal
Work Plan implemented	Within 60 days of approving the Work Plan
Report Submitted	Within 90 days of sampling activity
DTSC reviews and provides comments	Within 30 days of submittal